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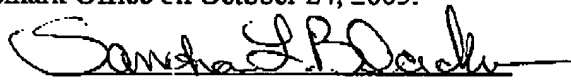
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TO:	FROM:
Name: Mail Stop AMENDMENT Group Art Unit 3738/Examiner Thomas Barrett	Name: Thomas H. Martin, Esq.
Firm: U.S. Patent & Trademark Office	Phone No.: 330-877-2277
Fax No.: 571-273-8300	No. of Pages (including this): 4
Subject: U.S. Patent Application No. 10/669,287 Gary Karlin Michelson Filed: September 24, 2003 EXPANDABLE PUSH-IN ARCUATE INTERBODY SPINAL FUSION IMPLANT WITH TAPERED CONFIGURATION DURING INSERTION Attorney Docket No. 101.0092-02000 Customer No. 22882 Confirmation No.: 6591	Date: October 24, 2005 Confirmation Copy to Follow: NO

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement and Form PTO 1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on October 24, 2005.


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PATENT
Attorney Docket No. 101.0092-02000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 6591
Gary Karlin Michelson)	
Serial No.: 10/669,287)	Group Art Unit: 3738
Filed: September 24, 2003)	Examiner: Thomas Barrett
For: EXPANDABLE PUSH-IN ARCUATE)	
INTERBODY SPINAL FUSION)	
IMPLANT WITH TAPERED)	
CONFIGURATION DURING)	
INSERTION)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: October 24, 2005

By: 

Thomas H. Martin
Registration No. 34,383

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OCT 24 2005

Substitute for FORM PTO-1449			Attorney Docket Number 101.0092-02000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary Karlin Michelson		Application Number 10/669,287	
(Use several sheets if necessary) Sheet 1 of 1			Filing Date September 24, 2003		Group Art Unit 3738	Examiner T. Barrett
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,454,806	9/2002	Cohen et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						